

**CHARTER COMMISSION
COMMITTEE ON STYLE MEETING
CITY AND COUNTY OF HONOLULU
MONDAY, AUGUST 21, 2006
CITY COUNCIL COMMITTEE ROOM
SECOND FLOOR, HONOLULU HALE
4:00 P.M.**

MINUTES

Committee Members Present:

Jared Kawashima
Donn Takaki
Jeffrey T. Mikulina
James Pacopac
Malcolm Tom – Late 4:15 p.m.

Non-Committee Commissioner Present:

Amy Hirano

Committee Members Absent

Jerry Coffee – Excused
Darolyn Lendio - Excused

Others Present:

Chuck Narikiyo, Executive Administrator, Charter Commission
Dawn Spurlin, Deputy Corporation Counsel, Department of Corporation Counsel
Loretta Ho, Secretary, Charter Commission
Nicole Love, Researcher, Charter Commission

1. Call to Order by Committee Chair Jared Kawashima

Committee Chair Jared Kawashima called the meeting to order at 4:11 p.m. on August 21, 2006. Chair Kawashima explained the process of the meeting and went over housekeeping rules and stated that testimony will be limited to three minutes and must be related to the agenda.

2. For Approval – Minutes of the July 19 and 25, 2006 Meeting

ACTION:

Commissioner Takaki moved to approve the minutes of July 19, 2006. Commissioner Pacopac seconded that motion. Chair Kawashima asked for any discussion; there was none. All commissioners present voted in favor of the motion, and the minutes of July 19, 2006 were approved.

ACTION:

Commissioner Takaki moved to approve the minutes of July 25, 2006. Commissioner Pacopac seconded that motion. Chair Kawashima asked for any discussion; there was none. All commissioners present voted in favor of the motion, and the minutes of July 25, 2006 were approved.

3. Executive Administrator's Report

Executive Administrator Narikiyo recapped where the Committee on Style was. He reported the Committee has completed review and drafting of recommended language for the Ramseyer text of the ballot proposals and approved the combination of several proposals for the ballot and noted they are down to 11 ballot questions. He stated the Committee has reviewed and approved ballot questions and reference phrases for some of the proposed amendments. There are several matters left on the agenda; the minutes were reviewed and approved, the Committee will review and approve the remaining ballot questions and reference phrases and may revisit some which Corporation Counsel had additional concerns and they have provided the Committee with alternative language which is attached to the agenda. Executive Administrator Narikiyo stated also on the agenda is the issue of order of the 11 ballot questions. He commented also for discussion is the issue of effective dates. He went on to say the Committee needs to make recommendations on everything on the agenda in advance of the full Commission meeting set for August 28, 2006 so that final approval can be made at that meeting and that final language could be given to the City Clerk's office before their September 1, 2006 deadline as set forth in the Charter.

4. Wording of Ballot Questions and Reference Phrases

FOR DISCUSSION AND ACTION:

PROPOSAL 28 - Ethics Commission; Allow the Ethics Commission to impose civil fines.

The following individuals testified:

NONE

Executive Administrator Narikiyo advised the Committee members to refer to the handout attached to the agenda (**Attachment A**). He commented Corporation Counsel provided alternative language for some of the proposals.

Deputy Corporation Counsel asked the Committee members to refer to the bottom of page two of the attached handout.

Executive Administrator Narikiyo asked Deputy Corporation Counsel Kawauchi if they wanted to elaborate on the reason behind their proposed new language.

Deputy Corporation Counsel Kawauchi responded it was for clarification only.

Commissioner Takaki asked for clarification that they changed the order of “ethics violations and elected officials” in the draft ballot question? Deputy Corporation Counsel Kawauchi responded in the affirmative. Commissioner Takaki then clarified the draft reference phrase is the same? Deputy Corporation Counsel Kawauchi responded they wanted to broaden it to “ethics violations” in lieu of the “standards of conduct” in version two. Executive Administrator Narikiyo commented it is the same in version one.

Commissioner Takaki asked Chair Kawashima if they would vote for each item one at a time? Chair Kawashima responded the last time they did the question and then the draft reference phrase.

ACTION:

Ballot Language Motion: Commissioner Takaki moved to approve the draft ballot question language proposed by Corporation Counsel on August 4, 2006. Commissioner Pacopac seconded that motion. No discussion followed.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Ballot language passed.

Draft Reference Phrase Motion: Commissioner Takaki moved that the draft reference phrase say, “Civil fines for ethics violations.” Commissioner Mikulina seconded that motion. No discussion followed.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Draft Reference Phrase motion passed.

Ballot Combination of Proposals 33 and 36:

- ❖ **PROPOSAL 33** - Department of Emergency Services; Revise the Powers, Duties and Functions of the Director and the Department.
- ❖ **PROPOSAL 36** - Fire Chief; Revise the Powers, Duties and Functions of the Fire Chief and the Fire Department

Deputy Corporation Counsel Spurlin commented the concern she had originally the question was very vague and felt the voter wouldn't know what was being proposed.

She clarified she revised the ballot question, combined Proposals 33 and 36 and highlighted the additional services the agencies are currently providing.

The following individuals testified:

NONE

Commissioner Takaki asked Corporation Counsel if they feel this is the shortest the question could be? Deputy Corporation Counsel Spurlin responded yes because in comparison to the actual charter language, she tried to take out the highlights and in essence these were the issues of concerns by the two agencies.

ACTION:

First Ballot Language Motion: Commissioner Pacopac moved to accept the draft ballot question alternative language proposed by Corporation Counsel. Commissioner Takaki seconded that motion.

Commissioner Mikulina commented the question is really long and understands it's two questions combined and wanted to know if there could be another way to could change the question? He suggested to state the additional services because they would be amending the charter, to not just state it but direct one agency to do something and the other agency to do something. Chair Kawashima responded he understood Commissioner Mikulina's concern but because they are combining two proposals it's difficult to really shorten the ballot question otherwise they would lose the material portions of the question unless someone has any ideas. Deputy Corporation Counsel Kawauchi commented Commissioner Mikulina has a concern about the terminology and what they are trying to say in the question is that they are trying to conform the language of the charter to the services currently being provided. She went on to say it is not as though in this instance that they are changing the charter to add additional duties and wanted to convey that in the question and that may be the reason that the question is so wordy.

Commissioner Hirano asked what would be determined if a charter amendment has a blank vote? Executive Administrator Narikiyo responded blank votes don't count. Commissioner Hirano commented she feels this is a question that voters may not know much about it and would not vote on this amendment. Chair Kawashima asked Commissioner Hirano if they broke the question apart would it be better? Commissioner Hirano responded no but she doesn't know how they could fix it.

Commissioner Tom commented his understanding was this proposal was to add "beach emergencies" to the Emergency Services Department and "emergency medical care" to the Fire Department. He commented going back to their earlier discussion he suggested that they on put the changes that would affect the department instead of adding all the other services. He suggested to say "Emergency Services to include beach emergencies and Fire Department to include emergency medical care." He went on to say it seems to be more straightforward and thinks people could understand. Commissioner Tom asked why do they need to restate all of the other services they already do? Deputy Corporation Counsel Spurlin responded those services are not

stated in the charter. Commissioner Tom asked if the Commission proposed those services stated in the question? Deputy Corporation Counsel Spurlin responded the Fire Department proposed the “Emergency medical” language and whatever is listed in new duties that are currently being provided that are not in the original Charter and has been subsequently added in the proposals. Commissioner Tom stated the main question on the ballot was not so much public health and welfare but the issue was to respond to beach emergencies. Deputy Corporation Counsel Spurlin responded that was only one issue because the other issue was the primary responder as to the pre-hospital medical response. She stated they had added that language in to say that they are the first-responder for public health issues also. Deputy Corporation Counsel Spurlin commented one option is to cut off and to just state the additional services currently being provided and not enumerate and assume the digest would explain what the additional duties and functions are.

Commissioner Mikulina asked Deputy Corporation Counsel Spurlin her opinion on his suggested options. “Should the Director of Emergency Services respond to medical matters relating to public health, welfare, injury prevention and beach emergencies and the Fire Chief respond to hazardous material incidents and the provision of emergency medical care in addition to additional services?” His second option would be, “Should the charter be amended to require that the Director respond”, and at the end of the question add “in addition to additional services currently being provided.” Chair Kawashima responded that is a totally different question because Commissioner Mikulina suggestion says “Should the director respond”, he commented that would not give them a choice whether the director should respond or not. He stated they are responding and the Commission is clarifying and they are not giving them a choice whether they should respond or not. Commissioner Tom commented that was the question for beach emergencies that the Water Safety people were saying they are not being called and that the Fire Department was being called first and that’s why they wanted to clarify that they are already on the scene, they are the closest and they should be called. Commissioner Tom went on to say they weren’t being called first because it is not in the charter. Chair Kawashima responded his recollection was that that was an issue on the very outset but as the Commission moved along, both departments were in agreement at the end as to just clarifying what services they were offering. Commissioner Mikulina commented he agrees with Chair Kawashima.

Chair Kawashima clarified what the Committee is looking at is a very long ballot question or as Corporation Counsel suggests, taking out the specific references to the specific types of services and inputting a much more general phrase. Deputy Corporation Counsel Spurlin responded yes and stated the question would read, “Should the Charter be amended to state the additional services currently being provided by the Director of Emergency Services and by the Fire Chief?” Commissioner Pacopac commented the “services” would be put in the digest. Chair Kawashima commented he’s fine with that and thinks it addresses Commissioner Hirano’s concern and maybe some of the other Commissioners.

Second Motion, to Amend Ballot Language:

Commissioner Tom moved to amend as described by Corporation Counsel.
Commissioner Mikulina seconded that motion.

Executive Administrator Narikiyo stated the motion to amend is to amend the alternative language so that the ballot question reads as follows: “Should the Charter be amended to state the additional services currently being provided by the Director of Emergency Services and by the Fire Chief?”

Chair Kawashima asked if there was any discussion. Commissioner Mikulina asked if they wanted to add a comma and add beach emergencies? Commissioners present responded no.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Second Motion, to Amend Ballot language, passed.

First Motion to Approve Ballot Language as amended:

Chair Kawashima restated the first motion is to approve the ballot language as proposed by Corporation Counsel and as amended. No discussion followed.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

First Motion, to Approve Ballot language(as amended) passed.

Draft Reference Phrase Motion: Commissioner Mikulina moved to accept the draft reference phrase for Proposal 33 & 36 as proposed by Corporation Counsel. Commissioner Pacopac seconded that motion. No discussion followed.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Draft Reference Phrase motion passed.

PROPOSAL 55 Part 1 - Term Limits and Staggered Terms; Re term limits and staggered terms for Councilmembers.

The following individuals testified:
NONE

Deputy Corporation Counsel Kawauchi stated Corporation Counsel's alternative language is on the bottom of page 4 of the handout attached to the agenda and it was in an effort to simplify the question and to clarify that there are two things happening on the ballot, one is elimination of the staggering of terms and the other is eliminating or extending term limits.

Chair Kawashima stated he also drafted alternative language (**Attachment B**). He stated in looking at Corporation Counsel's draft ballot question, he felt this proposal is complicated and felt they should put the question in a context for the voters. He goes on to say that's why he put in that initial language in his proposal. Chair Kawashima commented one of the concerns Corporation Counsel had was that they didn't want to link the term limit issues to the reapportionment issue. He stated in his proposed amendment he separated the term limit issue in the second half of the ballot question. He went on to say it still puts the staggering issue in context as far as reapportionment is concerned.

Commissioner Tom commented he thinks it is a valiant try but he thinks it raises the issues as to what are the concerns and it's something they as a Commission has struggled with as to what are the concerns. He commented Corporation Counsel's proposed alternative language is very straight forward and thinks it's easy for a layperson to understand and feels it's the clearest and simplest way of doing it. He went on to say he would like to suggest they pursue Corporation Counsel's draft. Chair Kawashima asked Commissioner Tom to explain what he means regarding raising issues. Commissioner Tom responded in Chair Kawashima's proposal it says, "To address concerns relating to election of city council members caused by reapportionment every ten years," Commissioner Tom stated he doesn't know what those concerns are and it raises the question as to what are the concerns. Commissioner Tom went on to say the other one is saying, "Should the council terms be eliminated and should the terms be eliminated or extended?" He commented it states the question really clearly. Commissioner Pacopac commented what if someone likes one and not the other? Commissioner Tom stated this is part one and they need to go to part two, this is a two-part question. Chair Kawashima commented he understands what Commissioner Tom is saying, but when reading the question it doesn't put the staggered term issue into context. He feels it loses the what the Commission is driving at as far as the proposals themselves and all the discussions they had in terms of staggered terms and so forth. Chair Kawashima went on to say unless they really understand what the context is it won't make sense to the voter. Commissioner Tom responded he understand what Chair Kawashima is saying because he used the word independently but the voter would have to read it very carefully that to address the concerns raised only to the staggered terms. Chair Kawashima stated he feels Corporation Counsel's draft is dependent upon the voter doing the research on their own and he knows there are a lot of people who do their research but feels there are a lot of voters who don't. He stated this is a big convoluted proposal that he feels it's better to have it in context.

Commissioner Mikulina stated he agrees with both Chair Kawashima and Commissioner Tom. He commented all of the success of the questions they just approved, all of the success to the questions are the success to the informed electorate making decisions

predicated on them understanding the questions. He went on to say he's concerned about the part independently getting rid of term limits has nothing to do with the concerns related to reapportionment. Commissioner Mikulina commented he would go with what he's been doing is give the question straight out and have them read the digest to understand it.

Chair Kawashima asked for a motion.

ACTION:

First Motion, to amend Ballot Language:

Commissioner Tom moved to adopt Corporation Counsel's proposed alternative language, "Should the current staggered council terms be eliminated and council term limits be eliminated or extended from two consecutive four-year terms to three consecutive four-year terms?" Commissioner Mikulina seconded that motion. Discussion followed.

Commissioner Takaki stated he agrees with Chair Kawashima. He stated he's spoken to the general public and asked what they think about the questions to get feedback from voters and this question seems to be very complicated and feels this one deserves to have a little context. He commented he doesn't think it is going overboard because he also agrees in general in voting the digest is the main avenue to educate the voters. He went on to say based upon his own personal interaction with voters and how confused they seemed to be by this issue, he would like to put a little more context into this question. He feels Commissioner Takaki commented when he voted as a Commissioner he felt the term limits and staggering that was one way to address the problems raised by reapportionment. He stated he doesn't think it is saying this is the only way to deal with it, when they read the digest he doesn't think they'll be writing it that way also. Commissioner Takaki stated for him he feels it's a fair way to address it with Chair Kawashima's proposal and he'll be voting against this motion.

AYES: MIKULINA, TOM - 2
NOES: KAWASHIMA, PACOPAC, TAKAKI - 3
EXCUSED: COFFEE, LENDIO - 2

First Motion, to Amend Ballot Language, Failed.

Second Motion, to approve Ballot Language:

Commissioner Takaki moved to accept the draft ballot question proposed by Committee Chair Kawashima. Commissioner Pacopac seconded that motion. Discussion followed.

Commissioner Mikulina commented he feels they could amend this proposed language. He stated he's concerned with the way it is currently drafted particularly with the sentence where it says "To address concerns" and then it talks about getting rid of term limits. He feels they could add more things in the first clause that leads up to that or do something else. Commissioner Takaki asked Commissioner Mikulina what would he

suggest. Deputy Corporation Counsel Spurlin asked what would happen if they switched the sentence around? Deputy Corporation Counsel Spurlin stated her concern is she feels the voters may not understand what they mean by “independently” because she’s has a hard time understanding it. She asked if they started with “Should term limits be replaced with Alternative A or B and to address the concerns?” would that change the question? Chair Kawashima responded he doesn’t have a problem with that.

Executive Administrator Narikiyo commented if they do that they would have to say “term limits for Councilmember” because right now they it says term limits after they mention Councilmembers. Chair Kawashima responded he’s okay with that. Commissioner Mikulina commented it helps his concern a little and suggested to put the word “and” separately to address “concerns”.

Commissioner Tom commented he was thinking about using the word “separately” instead of “independently” and wonders if that is the correct word to use. He expressed he has concerns with the word “independently” but asked if separately would be the right word instead of using “independently”? Deputy Corporation Counsel Spurlin responded her concern is whether or not the public voting would confuse the issue and say, “do these two proposals address reapportionment?” Commissioner Tom commented they don’t. Deputy Corporation Counsel Spurlin went on to say it has to be worded so that the voters doesn’t put it together and say to fix the reapportionment problem, they do staggered terms and term limits. She commented she thinks she has advised the Commission that staggered terms causes the reapportionment problem and term limits has nothing to do with reapportionment but it’s a combined ballot question that makes it confusing.

Commissioner Takaki commented at one of the previous meetings Deputy Corporation Counsel Spurlin did advise the Commission and what they were asking is that one way to handle the problems of the term limits and is that one way to address the issue? Deputy Corporation Counsel Spurlin responded no and clarified it’s the staggering because there’s a holdover that causes the reapportionment problem. Chair Kawashima commented he understands what Deputy Corporation Counsel Spurlin’s concerns are and that’s why he drafted his proposed alternative language. He stated he felt “independently” was okay, but if not they could replace with “separately” or arrange it as Deputy Corporation Counsel Spurlin suggested because he recognizes that concern.

Commissioner Tom suggested what if they reversed and say, “Should staggered terms be replaced by either Alternative A or Alternative B below to address concerns relating to election of City Councilmembers caused by the reapportionment every ten years, and, separately should term limits be replaced by Alternative A or Alternative B?” He stated when they have the lead in phrase he feels it relates to the whole sentence not to set it apart and feels that might help. Chair Kawashima responded he was okay with that.

Commissioner Mikulina commented his preference is still what Deputy Corporation Counsel Spurlin suggested earlier, “Should council term limits be replaced with Alternative A or Alternative B below, and, separately to address the concerns?” Commissioner Tom commented he would agree with Commissioner Mikulina.

Third Motion, to amend Ballot Language:

Commissioner Mikulina moved to amend part 1 of Proposal 55 to read, "Should City Council term limits be replaced by Alternative A or Alternative B below, and, separately to address concerns relating to election of City Councilmembers caused by reapportionment every ten years, should staggered terms be replaced by Alternative A or Alternative B? Commissioner Tom seconded that motion. No discussion followed.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Third Motion, to amend Ballot language passed.

Second Motion, to Approve Ballot Language (as amended):

Chair Kawashima clarified they will vote on the ballot language as amended. No discussion followed.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Second Motion, to Approve Ballot Language (as amended in Second Motion) passed.

PROPOSAL 55 Part 2 - Term Limits and Staggered Terms; Re term limits and staggered terms for Councilmembers.

The following individuals testified:
NONE

Deputy Corporation Counsel Kawauchi stated the proposed revised language was submitted for clarification. Chair Kawashima asked Corporation Counsel regarding the draft ballot question as drafted earlier, the Committee voted on this exact language earlier. Executive Administrator Narikiyo clarified the context of approved the proposed Charter Amendment but this was written as a ballot question and confirmed that it was voted on. Commissioner Takaki asked if that would be the first draft ballot question. Executive Administrator Narikiyo and Chair Kawashima responded in the affirmative. Chair Kawashima went on to say that is the precise language that the full Commission voted upon. Executive Administrator Narikiyo commented the issue is whether or not that was dispositive of the ballot question issue, but he's not sure and is something they may want to take into consideration when reviewing this question.

First Motion, to amend Ballot Language:

Commissioner Mikulina moved to accept Corporation Counsel's August 4, 2006 version but would like to rearrange the question to read, "If Charter Question X relating to Councilmember terms is approved by the voters at this election, should the Charter be amended to Alternative A or Alternative B?" Commissioner Takaki seconded that motion. Discussion followed.

Commissioner Mikulina commented he feels this is a little more concise.

Commissioner Takaki asked Corporation Counsel on their proposed language Alternative B, why did they choose that language instead of the language the Commission previously voted on? Deputy Corporation Counsel Kawauchi responded comparing in with Alternative B at the top of the page, she commented they were tried to clarify it and condense it down.

Chair Kawashima commented it's a hard decision because Corporation Counsel's draft is much more concise but the full Commission already voted on the precise language above and he feels uncomfortable revising it now after the full commission voted on the precise language. He stated he realizes the Committee was tasked with the responsibility to drafting language but this proposal is different from all the others because it was drafted in a form of a ballot question and it was approved by the full Commission. Executive Administrator Narikiyo commented the same is also true for part one, there was the Draft Ballot Question – as drafted earlier, that also had been voted on also.

AYES: MIKULINA, TOM - 2
NOES: KAWASHIMA, TAKAKI, PACOPAC - 3
EXCUSED: COFFEE, LENDIO - 2

First Motion, to amend Ballot Language, failed.

Second Motion, to approve Ballot Language:

Commissioner Pacopac moved to adopt Draft Ballot Question – Version 2 (shorter). Commissioner Mikulina seconded that motion. No discussion.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Second Motion, to Approve Ballot language, passed.

First Motion - Draft Reference Phrase for Proposal 55:

Commissioner Mikulina moved for the entirety of Proposal 55 that the draft reference phrase read, "Council term limits and staggering of terms." Commission Takaki seconded that motion. Discussion followed.

Researcher Nikki Love commented that the Committee should have two separate phrases because the point of this came from the City Clerk who suggested that they do these. The idea is when they print out vote reports, they would have the tally for each question and each one could have its own phrase and since there are two questions and two different tallies she feels it might be a good to have two reference phrases. Chair Kawashima clarified Ms. Love is suggesting they have separate and different phrases for Proposal 55 Part 1 and Part 2. Ms. Love responded in the affirmative and clarified to be clear and say what is going on in the two parts.

Second Motion – to amend Draft Reference Phrase for Proposal 55 Part 1:

Commissioner Mikulina amended his original motion to read for Proposal 55 Part 1, "Change term limits and staggering of terms." Commission Takaki seconded that motion. No discussion followed.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Second Motion to amend Draft Reference Phrase for Proposal 55 Part 1 passed

First Motion – Approval of Draft Reference Phrase for Proposal 55 Part 1 (as amended):

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

First Motion – Approval of Draft Reference Phrase for Proposal 55 Part 1 (as amended) passed

Third Motion – Approval of Draft Reference Phrase for Proposal 55 Part 2 Motion:

Commissioner Mikulina moved to approve the first draft reference phrase that reads, "Two alternatives for term limits and staggering." Commissioner Pacopac seconded that motion. No discussion followed.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Third Motion – Approval of Draft Reference Phrase for Proposal 55 Part 2 passed

PROPOSAL 91 - Property Taxes and New Fund; Set aside one-half percent (1/2%) of real property tax revenues for land and natural resources protection and one-half percent (1/2%) of real property tax revenues for affordable housing.

The following individuals testified:
NONE

ACTION:

Motion to Approve Ballot Language:

Commissioner Mikulina moved to accept the Version 2 (shorter) for Proposal 91. Commissioner Tom seconded that motion. Discussion followed.

Commissioner Mikulina commented he chose that one because the other two were rather long. Chair Kawashima asked Corporation Counsel if they had any comments. Deputy Corporation Counsel Kawauchi commented she sensed the Committee's desire to refer the voters to the digest, that when the person comes to vote they should know what they are voting for already. If the Committee is going for the shorter version, they are to assume voters are going to read the digest because the Version 2 before the Committee doesn't contemplate the fact that more than 1% could be set aside, it's just a minimum 1%.

Takaki commented he liked the Corporation Counsel proposed language, "Should a minimum of one percent of the estimated annual property tax revenues be deposited into two special funds, one-half into the Clean Water and Natural Lands Fund to be used for the purchase of lands to protect clean water, open spaces, coastlines, and natural lands, and the other one-half into the Affordable Housing Fund to be used for building and maintaining affordable housing, with the unspent revenues in each fund to accumulate from year to year?". Chair Takaki made a motion to further amend the ballot language, but there was no second to that motion. A vote was held on the initial motion.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Motion to Approve Ballot language passed.

Motion – to Approve Draft Reference Phrase for Proposal 91:

Commissioner Mikulina moved to approve draft reference phrase, “Land conservation and affordable housing funds.” Commissioner Takaki seconded that motion. No discussion followed.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Motion – to Approve Draft Reference Phrase for Proposal 91 passed

Executive Administrator Narikiyo commented on the back of the agenda, there were a few proposals for which ballot language has already been approved but Corporation Counsel had some concerns and wanted to revisit and alternative language was provided.

PROPOSAL 1 - Salary Commission; Amend provision regarding Council review of Commission findings.

The following individuals testified:
NONE

ACTION:

Commissioner Pacopac moved to accept Corporation Counsel’s draft alternative language. Motion dies for lack of second.

PROPOSAL 5 - Elections; Eliminate the first special election when there are only two candidates for an office.

The following individuals testified:
1. Tom Heinrich

Tom Heinrich testified he supports the language already approved by the full Commission, ballot question and reference phrase and not the Corporation Counsel’s proposed version. He commented it’s shorter and more to the point. He went on to say as a side point as he noted in his written testimony, there’s one more word change in the text of the proposal which is Subsection A under Special Elections first line to delete the word “then” toward the end of the line. He commented if the Style Committee has that opportunity before them, present the questions back to the Committee as a whole for further action.

Executive Administrator Narikiyo stated as a procedural standpoint, the Ramseyer text was already voted on by the Style Committee and change to the Ramseyer is not on the agenda today but it could be revisited at the full Commission meeting.

Deputy Corporation Counsel Sunakoda commented the changes that were proposed by Corporation Counsel for consistency and clarity reasons. She clarified the references to “general election” and “primary election” are not found anywhere in the charter, therefore the references instead should correctly be reflected as “first special election” and “second special election”.

Chair asked for a motion. There was no motion, therefore the language remained as approved previously by the full Commission.

❖ **HOUSEKEEPING COMBINATION (Proposals 35, 51, 75, 76, 78, S-6 and S-10)**

- ❖ **PROPOSAL 35** - Department of Information Technology; Revise the Powers, Duties and Functions of the Director.
- ❖ **PROPOSAL 51** - Department of Customer Services; Include the Director of Customer Services as a department head who must be nominated by the Mayor, with the advice and consent of the Council, and may be removed by the Mayor.
- ❖ **PROPOSAL 75** – Ethics Commission; Include the prohibition against Ethics Commissioners taking an active part in political management or political campaigns set forth in the Hawaii Constitution Article XIV.
- ❖ **PROPOSAL 76** – Police; Delete prohibition of political activities by police department employees.
- ❖ **PROPOSAL 78** – Civil Defense Agency; Delete the reference to Civil Defense Agency in "Appointment, Confirmation and Removal of Officers and Employees".
- ❖ **PROPOSAL S-6** - Petitions; Delete requirement of Social Security numbers on petitions.
- ❖ **PROPOSAL S-10** - Public notices; Distribution of public notices via a widely accessible electronic medium.

The following individuals testified:
NONE

Deputy Corporation Counsel Kawauchi commented trying to put more info into the ballot question itself, which may not be consistent with the Committee’s intention. She stated they did a first paragraph question that summarizes the types of issues set forth in the following housekeeping questions and she made specific revisions to the approved text to item number “c” to state that the housekeeping amendment is to include the Hawaii Constitution Reference in the charter. She went on to say they changed the reference in subparagraph “E” to “Civil Defense Administrator”, the position is not the “Director of Civil Defense.”

Executive Administrator Narikiyo asked Corporation Counsel, he noticed that in Corporation Counsel's version for both the phrase and the question specifically referenced the "electronic notice" issue and ask what was the reason? Deputy Corporation Counsel Kawauchi responded they pointed that out because they didn't feel it was truly a housekeeping item but an additional responsibility on the department unlike the earlier categories and revisions that either were required by law or to clarify.

Commissioner Takaki asked Corporation Counsel what changed because originally this was included in the housekeeping? Deputy Corporation Counsel Spurlin responded originally they thought it was housekeeping but they received an e-mail stating there was a State law governing this particular provision and that this was an additional duty being imposed. She stated they didn't realized there was a state law imposing this duty.

ACTION:

Ballot Language Motion: Commissioner Takaki moved to approve the alternative language proposed by Corporation Counsel for the draft ballot question. Commissioner Mikulina seconded that motion. Discussion followed.

Chair Kawashima commented he would be in favor of Corporation Counsel language because now that they have been informed that Corporation Counsel feels with respect to that issue, it is not a housekeeping matter it should be highlighted.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Ballot language passed.

Draft Reference Phrase Motion: Commissioner Takaki moved to approve the draft reference phrase proposed by Corporation Counsel.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Draft Reference Phrase motion passed.

Chair Kawashima stated they do have Proposals 27, 34, 71 and S-9, no specific issues were raised but they did receive written testimony for Proposal S-9.

PROPOSAL S-9 - Department of Transportation Services - Revise Powers, Duties and Functions; Promote pedestrian- and bicycle-friendly city

The following individuals testified:

1. Kristi Schulenberg, Executive Director, Hawaii Bicycling League

Written testimony:

1. Kristi Schulenberg, Executive Director, Hawaii Bicycling League

Kristi Schulenberg testified in support. She stated they suggest two possible ballot questions, "Should it be one of the priorities of the Department of Transportation Services to make Honolulu a pedestrian-and-bicycle friendly city, to the development and maintenance of bikeways system." She commented their suggestion for this is because they felt this was shorter and the powers duties and functions of the Director of Transportation Services as it tends to basically the development and maintenance of bikeways systems. She went on to say in terms of making those wording changes she's not sure if that's relevant to testimony today or if it's even possible. Ms. Schulenberg stated if that's the case then their second suggestion would be to flip the two sentences to say, "Should it be one of the priorities of the Department of Transportation Services to make Honolulu a pedestrian-and-bicycle friendly city and should the powers, duties and functions of the Director of Transportation Services include bikeway systems?" She stated they felt by switching the order of the questions, the voter sees first the vision of Honolulu being a pedestrian-bicycle friendly city and then the how is through the powers, duties and functions of the Director of Transportation Services.

Commissioner Mikulina asked Ms. Schulenberg if she feels making Honolulu a pedestrian-and-bicycle friendly city goes beyond developing and maintaining bikeway systems? Ms. Schulenberg responded she would like to say that would use development of complete streets where transportation meets motorist, pedestrian and bicycle related facilities but she was trying to capture the second question of what the responsibilities are of the Director of Transportation Services. She went on to say one their concerns was that the second question makes it seem like it's just through bikeway systems instead of addressing pedestrian enhancements as well.

Commissioner Takaki asked Ms. Schulenberg if she objects to the language the Commissioners voted upon earlier. Ms. Schulenberg responded no, just in terms of feedback they've gotten from their members, that first sentence seems to provide that type of vision they are hoping for and then the duties, powers and functions are separate. She stated they felt stylistically it was more attractive, but if it remained the same they wouldn't have a problem

ACTION:

First Motion, to amend Ballot Language: Commissioner Mikulina moved to amend the ballot question for Proposal S-9 to reflect what Ms. Schulenberg suggested in her second preference. Commissioner Tom seconded that motion.

Commissioner Tom suggested as the HBL suggested, "Should it be one of the priorities?" Commissioner Pacopac commented that's different than what they passed. Commissioner Tom commented he know where it came from because it refers to the bikeway systems before so if they go with HBL's proposed language he suggest it say, "Should one of the priorities be to make Honolulu a pedestrian-and-bicycle friendly city?"

Commissioner Tom clarified that he is asking to remove “it be” and start the sentence with “Should one”. Commissioner Mikulina stated he takes Commissioner Tom suggestions as a friendly amendment.

Chair Kawashima asked Commissioner Tom to restate his motion to amend.

Second Motion, to amend Ballot Language (friendly amendment to First Motion):

Commissioner Tom moved to amend the original motion to eliminate the words “it be”. Commissioner Mikulina seconded that motion but asked to make a suggestion to put “be” back in the sentence but after the word “Services”.

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Second Motion, to amend Ballot language, passed.

Third Motion, to Approve Ballot Language (as amended):

AYES: KAWASHIMA, TAKAKI, MIKULINA, PACOPAC, TOM - 5
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

Third Motion, to Approve Ballot language (as amended) passed.

Executive Administrator Narikiyo clarified the new question would read, “Should one of the priorities of the Department of Transportation Services be to make Honolulu a pedestrian- and bicycle-friendly city, and should the powers, duties, and functions of the Director of Transportation Services include bikeway systems?”

PROPOSAL 71 - Department of Environmental Services; Comprehensive curbside recycling program.

The following individuals testified:
NONE

Written testimony:
1. Tom Heinrich

5. Ordering of Questions on the Ballot

Chair Kawashima stated at the Committee’s last meeting he had proposed that the ballot order be in the same order as it appears in the Charter and Commissioner Takaki provided his own order (***Attachment C***). Commissioner Takaki commented his reason for his version is because he feels part of their responsibility as the Style Committee to

do the order of the questions, try to place what they felt were more complex or crucial questions in the beginning of the ballot. He commented as he stated earlier, if his order of ballot questions is defeated and the Committee decides to go with the order of the charter he would support whatever passes out of the Committee meeting today.

Chair Kawashima commented he felt going with the order of the charter was a very neutral way to do it and it would be difficult for someone to make an argument.

Commissioner Mikulina asked the staff how did the past Charter Commissions place their questions? Executive Administrator Narikiyo responded he didn't know. Commissioner Mikulina commented he didn't want to get caught up with this subjectivity deal, but he thinks they do owe it to the voters to top load it with more interesting or complex issues.

Commissioner Tom commented he remembered the City Clerk's office giving a briefing on voting and one of the things that was striking was the voter drop off as the motions were further down on the list. Chair Kawashima commented he recalls the voter fatigue starts at question 10 or 12 and they don't have that problem but if they did have that problem then they might want to rearrange but he doesn't see any need to subjectively rearrange. Commissioner Tom asked if there were also State amendments that would be on the ballot. Executive Administrator Narikiyo responded there are going to be some State Constitutional amendments.

ACTION:

Commissioner Mikulina moved to accept Commissioner Takaki's order of ballot questions. Commissioner Tom seconded that motion. No discussion followed.

AYES: KAWASHIMA, TAKAKI, MIKULINA, TOM - 4
ABSTAIN: PACOPAC - 1
NOES: NONE
EXCUSED: COFFEE, LENDIO - 2

6. Effective Dates

Executive Administrator Narikiyo commented he wanted to bring this to the Committee's attention. He stated he doesn't recall there being any specific discussion about it before and he spoke to Corporation Counsel briefly about this and there's a draft generic statement on the agenda to the effect that all provisions for the amendment shall become effective the second day of January 2007. He asked Deputy Corporation Counsel Kawauchi other alternatives the Commission could use, "taken effect as soon as the votes are certified"? Deputy Corporation Counsel Kawauchi responded that is true but her personal preference to have a date certain.

Executive Administrator Narikiyo stated the other issue is that are there any of the proposals which the Committee feels may require or it may be advisable to set different effective dates. He clarified one of the possible reasons would be implementation

problems. He stated in the Liquor Commission civil service proposal, there's a separate effective date already approved because it involves personnel. Executive Administrator Narikiyo commented he placed it on the agenda for discussion if it hasn't occurred to anyone or if anyone has a concern about it. He stated he thinks currently the only one with a different effective date would be the Liquor Commission proposed amendment. Deputy Corporation Counsel Kawauchi responded she thinks that's true but they discussed amongst themselves in their office about the other proposals the Commission may want to have a delayed effective date because of implementation concerns and that maybe they need to defer to the defined department but that may be the proposals on recycling, bikeways and electronic notices.

The following individuals testified:

1. Tom Heinrich

Written testimony:

1. Tom Heinrich

Tom Heinrich testified he agrees with Corporation Counsel with respect a date certain is best. He stated the proposed language the Executive Administrator Narikiyo offered is based on Section 16-101 of the Charter and he notes that one comma was taken out based on 16-101. He went on to say based on a thorough review of the transition schedule in Article 16, he suggest a few points. First the content of the statement seems that it would be best as an amendment to Section 16-101 whose heading effective date of revisions and if they look at the language that Executive Administrator Narikiyo offered, this would be the appropriate second paragraph to this section because what they are doing is different amendments to the charter in relation to the November 7, 2006 date. He went on to say if they offer the date in the present paragraph would offer confusion that, was the question actually a ratification of everything that was done in 1992 and whatever amendments in 2006? Mr. Heinrich stated simply repeating the same paragraph or making a slight change with the specific date of November 7, 2006 to be effective January 2, 2007 would be best. He commented consistent with all of Article 16 he suggested for stylistic clarity if it was revised to read, " All provisions of the amendments to the Charter of the City and County of Honolulu approved on November 7, 2006 shall take effect on January 2, 2007 except as otherwise provided. He went on to say it's a stronger more direct statement as to the same intent. Mr. Heinrich commented he also thinks this isn't a necessary technical amendment and thinks it should be consolidated into the housekeeping grouping of questions. He suggested that Corporation Counsel and the Committee on Style also needs to look as to whether it's kind of the same type of date amendment as the second paragraph needs to be made to Section 16-109 because it seems those to sections are related in essence if the Council has to do anything further then this is what they must do concerning inconsistent provisions.

Chair Kawashima asked Mr. Heinrich to restate his last point with respect to Section 16-109. Mr. Heinrich responded it seems in Section 16-101, the Committee is stating that whatever was adopted on November 7, 2006 takes effect January 2, 2007. He stated in Section 16-109 there's the reference that whatever was approved on November 3, 1992 shall be superceded... not to avoid that question of "did we just re-ratify everything in

1992?” No that question is not being made, everything continues. What they are doing is adding to the charter whatever technical reading it may be appropriate to be repeated in Section 16-109 for the same provisions may approve on November 7, 2006 therefore but now they are dealing specifically with those on November 7, 2006. He clarified it takes care of that technical housekeeping of whatever has to be done to bring these amendments or other ordinance into conformity with these amendments. He stated the cleanest way to deal with that is to have an unnumbered second paragraph that now specifically ties this to the November 7, 2006 actions of the general electorate.

Chair Kawashima asked for Corporation Counsel's comments on Mr. Heinrich's testimony. Deputy Corporation Counsel Kawauchi responded in earlier discussions with Executive Administrator Narikiyo they discussed how they would address the effective date language of the charter and they decided they could not make any further amendments to the existing charter language because that had already been voted on by the full Commission and that's why new language was proposed with the effective date rather than trying to go back to amend or delete existing charter languages. Chair Kawashima clarified Deputy Corporation Counsel Kawauchi is saying the Committee does not have a choice, they approve the language that is presented to the Committee that is on the language. Deputy Corporation Counsel Kawauchi responded yes, but they are to take a look at the discussion with respect to Section 16-109. Executive Administrator Narikiyo stated, as he understands it, the Commission has already reviewed and voted on such changes to the amendments and when they are talking about the effective dates they are talking about changes that would not affect the intent with the substance. He commented clarifying the effective dates, he feels is non-substantive. Deputy Corporation Counsel Kawauchi commented, as she understands Mr. Heinrich's testimony it would be to add new sub paragraphs to the existing charter provisions to take care of the elections in November 2006.

Commissioner Takaki asked how did previous charter amendments either done by Council or the Charter Commission address the effective dates? Did all of the questions have the effective date revision language? Deputy Corporation Counsel Kawauchi responded she couldn't answer that question. Commissioner Takaki responded he doesn't recall reading when he looked at previous charter amendments passed by both Council and by the previous Charter Commission. Executive Administrator Narikiyo stated he knows in Charter Commission's past they discussed conforming amendments and it was handled that way as a technical point but is not exactly sure on the format. Commissioner Takaki asked if they could ask for further research from Researcher Nikki Love and at the full Commission meeting vote it approve the effective date or is it something they need to do as the Committee on Style? Chair Kawashima responded he didn't believe they had to do it as the Committee on Style.

Commissioner Takaki asked Researcher Nikki Love to research how other charter amendments were handled.

Chair Kawashima deferred action on Effective Dates to be forwarded to the full Commission meeting for further research, discussion and action on Monday, August 28, 2006.

ATTACHMENT

STYLE COMMITTEE MEETING 8/21/06

In this attachment:

PART 1 - DRAFT BALLOT LANGUAGE

Proposals 28, 33, 36, 55 Part 1, 55 Part 2, and 91

PART 2 - BALLOT LANGUAGE APPROVED ON JULY 25, 2006

Proposals 1, 5, 27, 34, 71, S-9, and Housekeeping

Notes:

Ballot Question – In the form of “Should....?”

Reference Phrase – Clerk’s office also suggested we draft a very short phrase describing each proposal. This could be used on the website or other materials, and the Clerk’s office would use it when printing out the vote count reports.

PART 1 - DRAFT BALLOT LANGUAGE

PROPOSAL 28

(Revised since last draft to reflect change to “elected officers”)

Draft Ballot Question

Should the Ethics Commission have the authority to impose civil fines for ethics violations by elected officers?

Draft Reference Phrase

Civil fines for ethics violations

Draft Ballot Question – version 2 (“standards of conduct” instead of “ethics”)

Should the Ethics Commission have the authority to impose civil fines for violations of the standards of conduct by elected officers?

Draft Reference Phrase – version 2

Civil fines for standards of conduct violations

Alternative Language Proposed by Corporation Counsel 8/4/06

Draft Ballot Question

Should the Ethics Commission have the authority to impose civil fines on elected officers for ethics violations?

Draft Reference Phrase

Civil fines for ethics violations

PROPOSALS 33 AND 36

(On 7/25/06 the Style Committee voted to combine these proposals into one ballot question.)

Alternative Language Proposed by Corporation Counsel 8/4/06

Draft Ballot Question

Should the charter be amended to state the additional services currently being provided by the director of emergency services to respond to medical matters relating to public health and welfare, injury protection and beach emergencies, and by the fire chief for hazardous material incident response and the provision of emergency medical care?

Draft Reference Phrase

Services of the Emergency Services Director and Fire Chief

PROPOSAL 55 Part 1

Draft Ballot Question – as drafted earlier

Should the current system of staggered council terms and council term limits be replaced by either Alternative A or Alternative B below?

Draft Ballot Question – Version 2 (shorter)

Should the current system of staggered council terms and council term limits be changed?

Draft Ballot Question – Version 3 (mention current 2 term limit)

Should the current system of staggered council terms and councilmembers' two-term limit be changed?

Draft Reference Phrase

Change staggering and term limits

Alternative Language Proposed by Corporation Counsel 8/4/06

Draft Ballot Question

Should the current staggered council terms be eliminated and council term limits be eliminated or extended from two consecutive four-year terms to three consecutive four-year terms?

Draft Reference Phrase

Eliminate staggered council terms and eliminate or extend council term limits

PROPOSAL 55 Part 2

Draft Ballot Question – as drafted earlier

If Charter Question X is approved by the voters at this election, which of the following two alternative proposals relating to terms of councilmembers do you favor? (Vote for Alternative A or Alternative B, but not for both proposals.)

ALTERNATIVE A. Term limits for councilmembers and the staggering of councilmembers' terms shall be eliminated. In 2008, candidates running to represent the odd-numbered council districts shall be running to serve two-year terms. In 2010, and every four years thereafter, candidates for all council seats shall be running to serve four-year terms.

ALTERNATIVE B. Councilmembers shall be limited to serving a maximum of three consecutive four-year terms, and the staggering of councilmember terms shall be eliminated. In 2008, candidates running to represent odd-numbered council districts shall be running to serve two-year terms. In 2010 and every four years thereafter, candidates for all council seats shall be running to serve four-year terms.

Draft Ballot Question – Version 2 (shorter)

If Charter Question X is approved, which proposal relating to councilmember terms should be adopted?

ALTERNATIVE A. Term limits for councilmembers and the staggering of councilmembers' terms shall be eliminated.

ALTERNATIVE B. Councilmembers shall be limited to serving a maximum of three consecutive four-year terms, and the staggering of councilmember terms shall be eliminated.

Draft Reference Phrase

Two alternatives for term limits and staggering

Alternative Language Proposed by Corporation Counsel 8/4/06

Draft Ballot Question

Should the Charter be amended to Alternative A or Alternative B, if Charter Question X relating to councilmember terms is approved by the voters at this election?

Alternative A: Eliminate both staggered council terms and council term limits.

Alternative B: Eliminate staggered council terms and extend council term limits effective 2010 from a maximum of two consecutive four-year terms to a maximum of three consecutive four-year terms without including any terms already served.

Draft Reference Phrase

Eliminate staggered council terms and council term limits, or eliminate staggered council terms and extend council term limits

Draft Reference Phrase - if only one reference phrase is used for both Part 1 and Part 2

Eliminate staggered council terms and eliminate or extend council term limits

PROPOSAL 91

(Revised since last draft to reflect 2 separate funds)

Draft Ballot Question

Should a minimum of one percent of annual property tax revenues be put into two funds: a Clean Water and Natural Lands Fund to be used for purchasing lands to protect clean water, open space, coastlines, and natural lands; and an Affordable Housing fund to be used for building and maintaining affordable housing; and should the unspent revenues in this fund remain in the fund, and not lapse, thereby accumulating from year to year?

Draft Ballot Question – Version 2 (shorter)

Should one percent of annual property tax revenues be appropriated to funds for land conservation and affordable housing?

Draft Reference Phrase

Land conservation and affordable housing funds

Alternative Language Proposed by Corporation Counsel 8/4/06

Draft Ballot Question

Should a minimum of one percent of the estimated annual property tax revenues be deposited into two special funds, one-half into the Clean Water and Natural Lands Fund to be used for the purchase of lands to protect clean water, open space, coastlines, and natural lands, and the other one-half into the Affordable Housing Fund to be used for building and maintaining affordable housing, with the unspent revenues in each fund to accumulate from year to year?

Draft Reference Phrase

One percent of annual property tax revenues for land conservation and affordable housing

PART 2 - BALLOT LANGUAGE
APPROVED BY STYLE COMMITTEE ON JULY 25

PROPOSAL 1

Ballot Question

Should the City Council's power to reject Salary Commission recommendations be eliminated?

Reference Phrase

No Council rejection of Salary Commission

Alternative Language Proposed by Corporation Counsel 8/4/06

Draft Ballot Question

Should the Salary Commission establishment of salaries be final by eliminating the City Council authority to reject the Salary Commission action?

Draft Reference Phrase

Salary Commission final decision

PROPOSAL 5

Ballot Question

Should races with only two candidates be held in the General Election instead of the Primary Election?

Reference Phrase

Races with two candidates in General Election

Alternative Language Proposed by Corporation Counsel 8/4/06

Draft Ballot Question

Should the election of city elected officers be held at the second special election instead of the first special election when there are only two candidates for the city office?

Draft Reference Phrase

Eliminate the first special election when there are only two candidates for the office

PROPOSAL 27

Ballot Question

Should the Liquor Administrator, Deputy Administrator, and secretary be exempt from civil service provisions?

Reference Phrase

Liquor Administrator exempt from civil service

PROPOSAL 34

Ballot Question

Should capital budget appropriations lapse 12 months after the fiscal year, instead of the current 6 months?

Reference Phrase

Extend time for capital funds

PROPOSAL 71

Ballot Question

Should the powers, duties, and functions of the director of environmental services include comprehensive curbside recycling?

Reference Phrase

Curbside recycling

PROPOSAL S-9

Ballot Question

Should the powers, duties, and functions of the director of transportation services include bikeway systems, and should it be one of the priorities of the department of transportation services to make Honolulu a pedestrian- and bicycle-friendly city?

Reference Phrase

Pedestrian- and bicycle-friendly Honolulu; Bikeways

PROPOSAL - HOUSEKEEPING COMBINATION

(Proposals 35, 51, 75, 76, 78, S-6, S-10)

Ballot Question

Should the following housekeeping amendments be adopted?

- (a) Revise the powers, duties, and functions of the director of information technology
- (b) Include the director of customer services in the list of department heads to be appointed by the mayor with the advice and consent of the council and may be removed by the mayor
- (c) Include the Hawaii State Constitution prohibition on ethics commission members from taking active part in political campaigns
- (d) Delete the unconstitutional prohibition on political campaigning by police department employees
- (e) Delete the director of civil defense from the list of department heads to be appointed by the mayor with the advice and consent of the council and may be removed by the mayor
- (f) Delete the requirement of Social Security numbers on petitions for recall, ordinances by initiative, and charter amendments
- (g) Require public notices to be distributed via an electronic medium

Reference Phrase

Housekeeping amendments

Alternative Language Proposed by Corporation Counsel 8/4/06

Draft Ballot Question

Should the Charter be amended to also provide public notice by electronic medium and for housekeeping amendments (a) to conform to current functions and operation, (b) to conform to legal requirements, (c) to correct an inadvertent omission, and (d) for clarity?

- (a) Revise the powers, duties, and functions of the director of information technology
- (b) Include the director of customer services in the list of department heads to be appointed by the mayor with the advice and consent of the council and may be removed by the mayor
- (c) Include the reference to the Hawaii Constitution prohibition on ethics commission members from taking active part in political campaigns.
- (d) Delete the unconstitutional prohibition on political campaigning by police department employees
- (e) Delete the civil defense administrator from the list of department heads to be appointed by the mayor with the advice and consent of the council and who may be removed by the mayor.
- (f) Delete the requirement of Social Security numbers on petitions for recall, ordinances by initiative, and charter amendments
- (g) Require public notices to also be distributed via electronic medium

Draft Reference Phrase

Additional electronic notice and housekeeping amendments

**Proposal by Committee Chair Kawashima
8/10/06**

**Proposal 55 Part 1
DRAFT BALLOT QUESTION**

To address concerns relating to election of city council members caused by reapportionment every ten years, should staggered terms be replaced by Alternative A or B below; and, independently, should term limits be replaced by Alternative A or B below?

**BALLOT QUESTIONS
IN ORDER OF CHARTER
Style Committee Meeting 8/21/06**

PROPOSAL 55 Part 1 - Change staggering and term limits
Article 3 Ch 1, Article 13 Ch 1, etc.

PROPOSAL 55 Part 2 - Two alternatives for term limits and staggering
Article 3 Ch 1, Article 13 Ch 1, etc.

PROPOSAL 1 - Salary Commission final decision
Article 3 Ch 1

PROPOSAL 27 - Exempt Liquor Control Administrator and Deputy Administrator from civil service
Article 6 Ch 2, Article 6 Ch 11, etc.

PROPOSALS 33 & 36 - Emergency Services and Fire
Article 6 Ch 6 (Proposal 33)
Article 6 Ch 10 (Proposal 36)

PROPOSAL 71 - Curbside recycling
Article 6 Ch 8

PROPOSAL S-9 - Bikeways; Pedestrian- and bicycle-friendly
Article 6 Ch 17

PROPOSAL 34 - Extend time for capital funds
Article 9 Ch 1

PROPOSAL 91 - Land conservation and affordable housing fund
Article 9 Ch 2

PROPOSAL 28 - Civil fines for ethics violations
Article 11 Ch 1

PROPOSAL 5 - Races with two candidates in General Election
Article 13 Ch 1

HOUSEKEEPING COMBINATION

ORDER OF BALLOT QUESTIONS
Proposed by Commission Chair Donn Takaki

(1)

PROPOSAL 55 Part 1 - Change staggering and term limits

(2)

PROPOSAL 55 Part 2 - Two alternatives for term limits and staggering

(3)

PROPOSAL 91 - Land conservation and affordable housing fund

(4)

PROPOSAL 71 - Curbside recycling

(5)

PROPOSAL 28 - Civil fines for ethics violations

(6)

PROPOSAL 5 - Races with two candidates in General Election

(7)

PROPOSAL 1 - Salary Commission final decision

(8)

PROPOSAL S-9 - Bikeways; Pedestrian- and bicycle-friendly

(9)

PROPOSAL 27 - Exempt Liquor Control Administrator and Deputy Administrator from civil service

(10) Combined:

PROPOSAL 33 - Emergency Services director description

PROPOSAL 36 - Fire Chief description

(11)

PROPOSAL 34 - Extend time for capital funds

(12)

HOUSEKEEPING COMBINATION